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AN ACT

RELATING TO LAW ENFORCEMENT; PROHIBITING STATE AND LOCAL LAW
ENFORCEMENT AGENCIES FROM ENFORCING FEDERAL IMMIGRATION LAWS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 29-1-10 NMSA 1978 (being Laws 1966,
Chapter 24, Section 1) is amended to read:

"29-1-10. LAW ENFORCEMENT AGENCIES--PARTICIPATION IN
FEDERAL PROGRAMS.--

A. A law enforcement agency of the state or its
political subdivision shall not use state funds, equipment,
personnel or resources nor accept or utilize federal funds,
equipment, personnel or resources for the purpose of
detecting or apprehending persons whose only violation of law
is that they are persons of foreign citizenship who have
entered or are residing in the United States in violation of
federal immigration laws in Title 8 of the United States
Code, unless otherwise legally required to do so.

B. For the purposes of Subsection A of this
section, the labor department is not a law enforcement
agency."

Section 2. EFFECTIVE DATE.--The effective date of the
provisions of this act is July 1, 2005. _____